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The Honorable Mary Kay Vyskocil
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

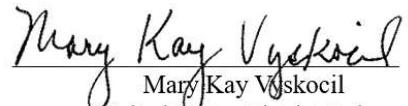
THE LAW OFFICES OF

STEVEN L. KESSLER

November 21, 2022

The government shall coordinate with the prison and, by noon on November 28, 2022, the parties shall submit a proposed order to the Warden that reflects what the prison states it needs from the Court in order to release the documents.

Date: Nov. 22, 2022
New York, New York


Mary Kay Vyskocil
United States District Judge

Re: Forfeiture proceeding relating to
United States v. Seth Fishman
20 Cr. 160 (MKV)

Dear Judge Vyskocil:

This is an unopposed application for an order directing the BOP to immediately release the package of documents sent by the government last week to Dr Seth Fishman.

In anticipation of the forfeiture hearing, scheduled for December 1, 2022, I understand that, late last week, a package was delivered by Federal Express to the Satellite Camp at FCI Miami facility where Dr. Fishman is being held. I am informed by AUSA Mortazavi that the package – sent with the Court’s address as the sender – contained copies of documents that the government may introduce as exhibits at the upcoming hearing. However, Dr. Fishman has learned that, although the package is being held in the receiving and discharging section of the facility, it may be weeks until it is physically delivered to him unless the Court orders its immediate release. With the hearing less than two weeks away, including the intervening holiday of Thanksgiving, such a delay is unacceptable. Not only must Dr. Fishman be able to review any materials offered by the government, but his counsel must be able to review the documents with him as well to properly and effectively prepare for the hearing. The digital versions of documents I received this morning from the government are lengthy and consist of 17 folders containing 82 files. The defense cannot prepare for the hearing unless Dr. Fishman can review the exhibits, as their meaning or significance cannot be discerned without input from Dr. Fishman.

The government consents to this request.

Respectfully submitted,

THE LAW OFFICES OF STEVEN L. KESSLER

By: Steven L. Kessler

Steven L. Kessler
Attorneys for Defendant Seth Fishman

SLK:rmaf
cc: All Counsel (by ECF)